

PATENT
356007.00100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent 6,248,390 of:

Suzanne Jaffe STILLMAN

Issue Date: June 19, 2001

Serial No: 09/510,400

Filed: February 22, 2000

For: FIBER WATER - WATER CONTAINING
SOLUBLE FIBER

Art Unit: 1761

Examiner: Bhat, N.

KTC
15
JW

REQUEST FOR CERTIFICATE OF CORRECTION

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
Washington D.C. 20231, on

January 9, 2003

Date of Deposit

Kathy Hinkley

Name

Signature

1/9/03
Date

Request is hereby made for correction of the subject Letters Patent to include the references disclosed by Applicant.

An Information Disclosure Statement was filed in the application on May 1, 2000. A copy of the return postcard showing receipt by the Office of the IDS and 59 references on May 5, 2002 is enclosed herewith.

On the last page of the Office Action of December 13, 2000 (copy enclosed), the Examiner added a handwritten note as follows:

"Applicant's 1449 (IDS) has been considered the art is in the case. With Paper Handling the 1449 has been lost please re-submit in the next office action (next communication)."

Certificate

JAN 17 2003

of Correction

Although Applicant believes that the Form 1449 was submitted via facsimile shortly after receipt of the Office Action of December 13, 2000, Applicant's file does not clearly indicate whether the Form 1449 was resubmitted in response to this request. The issued patent does not show on its face the references disclosed by applicant.

Accordingly, Applicant wishes to ensure the correctness of the record by resubmitting the Form 1449 for the file, and requests a Certificate of Correction indicating the disclosed references. A copy of the Form 1449 originally submitted on May 1, 2002 (5 sheets) and a Certificate of Correction Form (4 sheets) are enclosed herewith. Note that the Certificate of Correction includes the U.S. Classes and Subclasses for U.S. patent references, which were not provided on the original Form 1449, and in the case of several scientific references, more complete bibliographic information than was provided on the original Form 1449.

Since the Examiner has acknowledged receipt and review of the Form 1449 and declared the references disclosed therein to be of record in the case, Applicant requests that the Form 1449 be initialed by the Examiner as having been reviewed and made of record, and returned to the undersigned. Applicant will resubmit copies of the references if so requested.

In light of the Examiner's acknowledgment and of the return postcard showing receipt by the Office of the originally submitted copy of the Form 1449, it is believed that the loss of the Form 1449 is a Patent Office error, and accordingly, no fee is enclosed. However, if a fee should be required, please charge it to Deposit Account No. 50-1314 of the undersigned attorney's firm, referencing docket number 356007.00100.

A copy of this Request is enclosed.

Respectfully submitted,
REED SMITH CROSBY HEAFEY LLP

Date: January 9, 2003

By: Stefan J. Kirchanski
Stefan J. Kirchanski
Registration No. 36,568
Attorney for Applicant(s)

1901 Avenue of the Stars, Suite 700
Los Angeles, CA 90067
Phone: (310) 734-5200
Fax: (310) 734-5299

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO : 6,248,390 *Br*
DATED : June 19, 2001
INVENTOR(S): Suzanne Jaffe Stillman

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

Triple pg
Item [56], *Reference Cited*, add the following U.S. Patent Documents, ~~and Other Publications~~

4,444,761	4/24/1984	Spiller	514/57
4,447,532	5/8/1984	Coker et al.	435/99
4,834,990	5/30/1989	Amer	46/74
4,849,222	7/18/1989	Broaddus	424/738
4,911,889	3/27/1990	Leland et al.	422/26
4,988,530	1/29/1991	Hoersten et al.	426/577
4,996,063	2/26/1991	Inglett	426/21
5,032,411	7/16/1991	Stray-Gundersen	426/74
5,082,673	1/21/1992	Inglett	426/21
5,108,774	4/28/1992	Mills et al.	426/599
5,149,541	9/22/1992	Leis, Jr. et al.	424/489
5,162,128	11/10/1992	Mills et al.	426/599
5,219,570	6/15/1993	Barbera	424/738
5,225,219	7/6/1993	Inglett	426/28
5,229,117	7/20/1993	Leland et al.	424/738
5,229,172	7/20/1993	Cahalan et al.	427/536
5,344,824	9/6/1994	Ohkuma et al.	514/58
5,358,729	10/25/1994	Ohkuma et al.	426/567
5,364,652	11/15/1994	Ohkuma et al.	426/549
5,380,717	1/10/1995	Ohkuma et al.	514/58
5,430,141	7/4/1995	Ohkuma et al.	536/103
5,447,730	9/5/1995	Greenleaf	424/680
5,472,732	12/5/1995	Ohkuma et al.	426/658
5,505,981	4/9/1996	Wakabayashi et al. ..	426/658
5,519,011	5/21/1996	Wakabayashi et al.	514/58

MAILING ADDRESS OF SENDER: Stefan J. Kirchanski, Reg. No. 36,568
REED SMITH CROSBY HEAFEY LLP
1901 Avenue of the Stars, Suite 700
Los Angeles, CA 90067

PATENT NO. 6,248,390

No. of additional copies



Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comment on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Scan all references as images

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO : 6,248,390

DATED : June 19, 2001

INVENTOR(S): Suzanne Jaffe Stillman

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

[CONTINUED]

5,587,197	12/24/1996	Meada et al.	426/658
5,620,873	4/15/1997	Ohkuma et al.	435/99
5,755,688	5/26/1998	Piontek et al.	604/83
5,851,578	12/22/1998	Gandhi	426/590
5,958,497	9/28/1999	Grimm et al.	426/596
5,968,365	10/19/1999	Laurenzo et al.	210/641
5,976,603	11/2/1999	Kota et al.	426/590
5,997,917	12/7/1999	Uchida et al.	426/96
6,004,610	12/21/1999	Wang et al.	426/599
6,020,016	2/1/2000	Castleberry	426/590

*Title Pg, Item 56, add the following references to
OTHER PUBLICATIONS, after US PAT DOCS:*

- Takashi Ide, et al., "Hypolipidemic Effects of Guar Gum and Its Enzyme Hydrolysate in Rats Fed Highly Saturated Fat Diets," Ann Nutr Metab 1991;35:34-44 (abstract).
- M. Kamen, et al., "Reduction in Diarrhea Incidence by Soluble Fiber in Patients Receiving Total or Supplemental Enteral Nutrition," Dept. of Surgery, Ruhr University, Bochum, Germany, 6/20/1994; JPEN, 18:486-90, 1994 (abstract).
- Gary A. Weaver et al., "Dietary Guar Gum Alters Colonic Microbial Fermentation in Azoxymetane-Treated Rats," J of Nutrition 126(8) : 1979- 1991 (abstract).
- Hidehisa Takahashi et al., "Effect of Partially Hydrolyzed Guar Gum on Fecal Output in Human Volunteers," Nutrition Research, Vol. 13, pp. 649-57, 1993 (abstract).
- A. Golay et al., "The effect of a liquid supplement containing guar gum and fructose on glucose tolerance in non-insulin-dependent diabetic patients," Nutr. Metab. Cardiovasc. Dis (1995) 5:141-148 (abstract).

MAILING ADDRESS OF SENDER: Stefan J. Kirchanski, Reg. No. 36,568
REED SMITH CROSBY HEAFEY LLP
1901 Avenue of the Stars, Suite 700
Los Angeles, CA 90067

PATENT NO. 6,248,390

No. of additional copies



Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comment on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO : 6,248,390

DATED : June 19, 2001

INVENTOR(S): Suzanne Jaffe Stillman

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

[CONTINUED]

- Hidehisa Takahashi et al., "Effect of Liquid Diets With or Without Partially Hydrolyzed Guar Gum on Intestinal Microbial Flora and Function of Rats," Nutrition Research, Vol. 15, No. 4, pp. 527-536, 1995 (abstract).
- Hidehisa Takahashi et al., "Influence of intact and partially hydrolyzed guar gum on iron utilization in rats fed on iron-deficient diets," Comp. Biochem. Physiol. Vol. 109A, No. 1, pp. 75-82, 1994 (abstract).
- Hidehisa Takahashi et al., "Influence of Partially Hydrolyzed Guar Gum on Constipation in Women," J. Nutr. Sc. Vitaminal. 40, pp. 251-259, 1994 (abstract).
- A. Golay et al., "The effect of a liquid supplement containing guar gum and fructose on glucose tolerance in non-insulin-dependent diabetic patients," NMCD Nutrition, Metabolism and Cardiovascular Diseases, Vol. 5, No. 2, June 1995, pp. 141-147 (abstract).
- Hiroshi Hara et al., "Increases in calcium absorption with ingestion of soluble dietary fibre, guar-gum hydrolysate, depend on the caseum in partially nephrectomized and normal rats," British Journal of Nutrition (1996), 76, pp. 773-784 (abstract).
- Brochures by Imperial Sensus LLC, "Product Data Sheets," "Facts about Inulin/FOS," "Frutafit Nutritional Information," "What is Frutafit."
- Joanne Slavin, "Commercially Available Enteral Formulas with Fiber and Bowel Function Measures," Nutrition in Clinical Practice 5:247-250, December 1990.
- Y. Ueda et al., "Effects of Indigestible Dextrin on Blood Glucose and Insulin Levels after Various Sugar Loads In Rats," J.Jpn. Soc. Nutr. Food Sci. 1993 (46) 131-137 (abstract, Fig. 1 and Tables 1-4).
- John E. Greenleaf, "Problem: thirst, drinking behavior, and involuntary dehydration," Medicine and Science In Sports and Exercise, Vol. 24, No. 6, pp. 645-656, 1992.

MAILING ADDRESS OF SENDER: Stefan J. Kirchanski, Reg. No. 36,568
REED SMITH CROSBY HEAFEY LLP
1901 Avenue of the Stars, Suite 700
Los Angeles, CA 90067

PATENT NO. 6,248,390

No. of additional copies



Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comment on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/44 (02-01)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO : 6,248,390

DATED : June 19, 2001

INVENTOR(S): Suzanne Jaffe Stillman

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

[CONTINUED]

Elsworth R. Buskirk et al., eds., "Body Fluid Balance," CRC Press, 1966, pp. 1-17.

Kazuhiro Ohkuma et al., "Pyrolysis of Starch and Its Digestibility by Enzymes --- Characterization of Indigestibility Dextrin---," Matsutani Chemical Research Laboratories, Denpun Kagaku, 1990 (37) 107-114 (abstract, Figs. 1-7, Tables 1-5).

Brochure by Matsutani Chemical Industry, "Fibersol-2-Physiological Attributes," 2-16-1999.

Brochure by Matsutani America, Inc., "Matsutani's Products and Their Functionalities," 5-1999.

Y. Kishimoto et al., "Hypocholesterolemic Effect of Sodium Propionate," J. Nutri. Sci. Vitaminol, Vol. 41, No. 1, 1995, pp. 77, 78.

Novartis Nutritional Corporation, "Benefiber Nutritional Data," 3-1999.

Novartis Nutritional Corporation, "Novartis Nutrition Foodservice Products, 1/31/2000.

Brochure by Matsutani Chemical Industry Co., Ltd., "Fibersol 2."

Pamphlet by Imperial Sensus, LLC, "Inulin, A Natural Non-Digestible Carbohydrate Having Healthy Influences For Preventing Disease -- Occurrence, History, Preparation, Safety, Physiology and Related Health Implications," Version 23-10.29.99, 1997, 1998, 1999.

MAILING ADDRESS OF SENDER: Stefan J. Kirchanski, Reg. No. 36,568
REED SMITH CROSBY HEAFEY LLP
1901 Avenue of the Stars, Suite 700
Los Angeles, CA 90067

PATENT NO. 6,248,390

No. of additional copies



Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comment on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,248,390 B1
DATED : June 19, 2001
INVENTOR(S) : Suzanne Jaffe Stillman

Page 1 of 3

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page.

Item [56], **References Cited**, add the following U.S. PATENT DOCUMENTS,

4,444,761	4/24/1984	Spiller	514/57
4,447,532	5/8/1984	Coker et al.	435/99
4,834,990	5/30/1989	Amer	46/74
4,849,222	7/18/1989	Broadus	424/738
4,911,889	3/27/1990	Leland et al.	422/26
4,988,530	1/29/1991	Hoersten et al.	426/577
4,996,063	2/26/1991	Inglett	426/21
5,032,411	7/16/1991	Stray-Gundersen	426/74
5,082,673	1/21/1992	Inglett	426/21
5,108,774	4/28/1992	Mills et al.	426/599
5,149,541	9/22/1992	Leis, Jr. et al.	424/489
5,162,128	11/10/1992	Mills et al.	426/599
5,219,570	6/15/1993	Barbera	424/738
5,225,219	7/6/1993	Inglett	426/28
5,229,117	7/20/1993	Leland et al.	424/738
5,229,172	7/20/1993	Cahalan et al.	427/536
5,344,824	9/6/1994	Ohkuma et al.	514/58
5,358,729	10/25/1994	Ohkuma et al.	426/567
5,364,652	11/15/1994	Ohkuma et al.	426/549
5,380,717	1/10/1995	Ohkuma et al.	514/58
5,430,141	7/4/1995	Ohkuma et al.	536/103
5,447,730	9/5/1995	Greenleaf	424/680
5,472,732	12/5/1995	Ohkuma et al.	426/658
5,505,981	4/9/1996	Wakabayashi et al. ..	426/658
5,519,011	5/21/1996	Wakabayashi et al.	514/58
5,587,197	12/24/1996	Meada et al.	426/658
5,620,873	4/15/1997	Ohkuma et al.	435/99
5,755,688	5/26/1998	Piontek et al.	604/83
5,851,578	12/22/1998	Gandhi	426/590
5,958,497	9/28/1999	Grimm et al.	426/596
5,968,365	10/19/1999	Laurenzo et al.	210/641
5,976,603	11/2/1999	Kota et al.	426/590
5,997,917	12/7/1999	Uchida et al.	426/96
6,004,610	12/21/1999	Wang et al.	426/599
6,020,016	2/1/2000	Castleberry	426/590

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,248,390 B1
DATED : June 19, 2001
INVENTOR(S) : Suzanne Jaffe Stillman

Page 2 of 3

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page (cont'd).

Add the following references:

- Takashi Ide, et al., "Hypolipidemic Effects of Guar Gum and Its Enzyme Hydrolysate in Rats Fed Highly Saturated Fat Diets," *Ann Nutr Metab* 1991;35:34-44 (abstract).
- M. Kamen, et al., "Reduction in Diarrhea Incidence by Soluble Fiber in Patients Receiving Total or Supplemental Enteral Nutrition," Dept. of Surgery, Ruhr University, Bochum, Germany, 6/20/1994; *JPEN*, 18:486-90, 1994 (abstract).
- Gary A. Weaver et al., "Dietary Guar Gum Alters Colonic Microbial Fermentation in Azoxymetane-Treated Rats," *J of Nutrition* 126(8) : 1979- 1991 (abstract).
- Hidehisa Takahashi et al., "Effect of Partially Hydrolyzed Guar Gum on Fecal Output in Human Volunteers," *Nutrition Research*, Vol. 13, pp. 649-57, 1993 (abstract).
- A. Golay et al., "The effect of a liquid supplement containing guar gum and fructose on glucose tolerance in non-insulin-dependent diabetic patients," *Nutr. Metab. Cardiovasc. Dis* (1995) 5:141-148 (abstract).
- Hidehisa Takahashi et al., "Effect of Liquid Diets With or Without Partially Hydrolyzed Guar Gum on Intestinal Microbial Flora and Function of Rats," *Nutrition Research*, Vol. 15, No. 4, pp. 527-536, 1995 (abstract).
- Hidehisa Takahashi et al., "Influence of intact and partially hydrolyzed guar gum on iron utilization in rats fed on iron-deficient diets," *Comp. Biochem. Physiol.* Vol. 109A, No. 1, pp. 75-82, 1994 (abstract).
- Hidehisa Takahashi et al., "Influence of Partially Hydrolyzed Guar Gum on Constipation in Women," *J. Nutr. Sc. Vitaminal.* 40, pp. 251-259, 1994 (abstract).
- A. Golay et al., "The effect of a liquid supplement containing guar gum and fructose on glucose tolerance in non-insulin-dependent diabetic patients," *NMCD Nutrition, Metabolism and Cardiovascular Diseases*, Vol. 5, No. 2, June 1995, pp. 141-147 (abstract).
- Hiroshi Hara et al., "Increases in calcium absorption with ingestion of soluble dietary fibre, guar-gum hydrolysate, depend on the casecum in partially nephrectomized and normal rats," *British Journal of Nutrition* (1996), 76, pp. 773-784 (abstract).
- Brochures by Imperial Sensus LLC, "Product Data Sheets," "Facts about Inulin/FOS," "Frutafit Nutritional Information," "What is Frutafit."
- Joanne Slavin, "Commercially Available Enteral Formulas with Fiber and Bowel Function Measures," *Nutrition in Clinical Practice* 5:247-250, December 1990.
- Y. Ueda et al., "Effects of Indigestible Dextrin on Blood Glucose and Insulin Levels after Various Sugar Loads In Rats," *J.Jpn. Soc. Nutr. Food Sci.* 1993 (46) 131-137 (abstract, Fig. 1 and Tables1-4).
- John E. Greenleaf, "Problem: thirst, drinking behavior, and involuntary dehydration," *Medicine and Science In Sports and Exercise*, Vol. 24, No. 6, pp. 645-656, 1992.

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,248,390 B1
DATED : June 19, 2001
INVENTOR(S) : Suzanne Jaffe Stillman

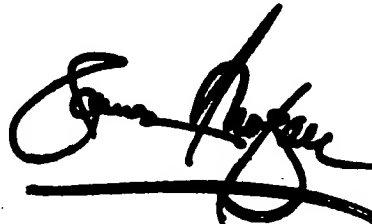
Page 3 of 3

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Elsworth R. Buskirk et al., eds., "Body Fluid Balance," CRC Press, 1966, pp. 1-17.
Kazuhiro Ohkuma et al., "Pyrolysis of Starch and Its Digestibility by Enzymes ---
Characterization of Indigestibility Dextrin---," Matsutani Chemical Research
Laboratories, Denpun Kagaku, 1990 (37) 107-114 (abstract, Figs. 1-7,
Tables 1-5).
Brochure by Matsutani Chemical Industry, "Fibersol-2-Physiological Attributes," 2-
16-1999.
Brochure by Matsutani America, Inc., "Matsutani's Products and Their
Functionalities," 5-1999.
Y. Kishimoto et al., "Hypocholesterolemic Effect of Sodium Propionate," J. Nutri.
Sci. Vitaminol, Vol. 41, No. 1, 1995, pp. 77, 78.
Novartis Nutritional Corporation, "Benefiber Nutritional Data," 3-1999.
Novartis Nutritional Corporation, "Novartis Nutrition Foodservice Products,
1/31/2000.
Brochure by Matsutani Chemical Industry Co., Ltd., "Fibersol 2."
Pamphlet by Imperial Sensus, LLC, "Inulin, A Natural Non-Digestible Carbohydrate
Having Healthy Influences For Preventing Disease -- Occurrence, History,
Preparation, Safety, Physiology and Related Health Implications," Version 23-
10.29.99, 1997, 1998, 1999.

Signed and Sealed this

Thirteenth Day of May, 2003



JAMES E. ROGAN
Director of the United States Patent and Trademark Office